

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	EDTN Mag No. 1:12-MJ-14
vs.	)	SDIL Case No. 1-CR-30001-DCH
	)	
JOSE GUADALUPE GUAJARDO-GONZALEZ	)	JUDGE CARTER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on January 12, 2012, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure for an initial appearance of the defendant on an Indictment and Warrant out of the Southern District of Illinois. Those present for the hearing included:

- (1) AUSA Terra Bay for the USA.
- (2) The defendant, JOSE GUADALUPE GUAJARDO-GONZALEZ.
- (3) Attorney Marlene Marsa of Federal Defender Services.
- (4) Deputy Clerk Kelli Jones.

After being sworn in due form of law, the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Federal Defender Services of Eastern Tennessee, Inc. was APPOINTED to represent the defendant. It was ascertained defendant had been provided with a copy of the Indictment and Warrant and had the opportunity of reviewing the documents with his attorney. It was determined defendant was able to understand the copy of the aforesaid documents he had been provided.

AUSA Bay moved defendant be detained without bail pending a hearing in the Southern District of Illinois.

Findings

- (1) Explanation of Rule 20 of the Federal Rules of Criminal Procedure were made to the defendant. The defendant waived his Rule 5 identity hearing. The defendant asked to have a detention hearing in the charging district.

Conclusions

It is ORDERED:

(1) Defendant shall be DETAINED WITHOUT BAIL pending his transfer to the Southern District of Illinois.

(2) The U.S. Marshal shall transport defendant to the Southern District of Illinois for a hearing before a U.S. Magistrate Judge on a date to be determined once defendant is in said district.

ENTER.

S / *William B. Mitchell Carter*

UNITED STATES MAGISTRATE JUDGE